

**MINUTES OF A REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES  
OF THE  
TOWN OF BUENA VISTA, COLORADO  
MARCH 23, 2010**

**CALL TO ORDER**

A Regular meeting of the Board of Trustees was called to order at 7:03 PM on Tuesday, March 23, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Cara Russell. Present were Trustees Norm Nyberg, Duff Lacy, Joel Benson, Robert Flint, Brett Mitchell, Keith Baker, Town Administrator Sue Boyd, Town Attorney Lee Phillips, Town Planner Shannon Haydin, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer.

**ROLL CALL**

Town Clerk Spomer proceeded with the roll call and declared a quorum.

**PLEDGE OF ALLEGIANCE**

Mayor Russell led in the Pledge of Allegiance.

**PROCLAMATION – “RECOGNIZING SANGRE DE CRISTO”**

Mayor Russell read the Proclamation into the record.

**AGENDA ADOPTION**

**Motion #1** by Trustee Benson, seconded by Trustee Mitchell, to adopt the agenda as presented. Motion carried.

**CONSENT AGENDA**

- A. **Minutes**
  - 1. Regular Meeting – March 23, 2010
- B. Should the Board approve adoption of Resolution #31, Series 2010, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA COLORADO AUTHORIZING THE TOWN OF BUENA VISTA TO ENTER INTO A LEASE AGREEMENT WITH THE BUENA VISTA BASEBALL ASSOCIATION**”?
- C. Should the Board approve adoption of Resolution #32, Series 2010, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA COLORADO AUTHORIZING THE TOWN OF BUENA VISTA TO ENTER INTO A LEASE AGREEMENT WITH THE ROCKY MOUNTAIN RACQUET CLUB**”?
- D. Should the Board approve adoption of Resolution #33, Series 2010, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA COLORADO AUTHORIZING THE TOWN OF BUENA VISTA TO ENTER INTO A LEASE AGREEMENT WITH THE BUENA VISTA YOUTH SOCCER ASSOCIATION**”?

Trustee Benson noted a correction on page 41, the second paragraph under Consent Agenda the word “in” should be inserted in the blank midway down; on page 43 Katy should be “Katie”; the next paragraph should say that “Katie stated David Lynch...”; page 44 midway down Council directed staff to draft an ordinance for 5/8 meter “with provisions also for irrigation only and for seasonal uses”; top of page 44 should read “because a garden is not explicitly considered in the PUD”; page 47 at the bottom on Trustee Benson comments the 3<sup>rd</sup> line “suggesting” putting out an RFP - Trustee Benson moved “that we add an RFP to carve the tree stump by the next meeting”. Discussion followed that a motion should be made at the end of the Consent Agenda.

**Motion #2** by Trustee Flint, seconded by Trustee Mitchell, to approve the Consent Agenda as amended. Motion carried.

**Motion #3** by Trustee Benson, seconded by Trustee Flint, that we add an RFP to carve the tree stump by the next meeting. Christine noted it is not procedure to bring the RFPs to the Board and does the Board want to review the RFP before it goes out. Discussion followed on this item was discussed at the last staff meeting with pictures and information that would be needed. The Board did not feel they needed to see it. Motion carried.

### **PUBLIC COMMENT**

Jed Selby, 901 S. Main Street, addressed the Ordinance prohibiting internally lit vinyl signs on E. Main Street and expressed these types of signs are more typically seen on highways but not in historic districts; they do not exist in Salida, Durango, Carbondale or Glenwood Springs and could not think of any Historic District in the State that does not have a highway running through it that has these types of signs; normal comments P&Z hears are that "they are necessary to see a business do well" but didn't see any information to support this; Buena Vista has only 4 or 5 of these signs left; signage that costs the same or less can be done; asked the Board to prohibit these signs in the downtown Main Street area as it would improve the aesthetic environment and retail environment and increase sales tax dollars.

### **RESPONSE TO PUBLIC COMMENT**

Mayor Russell noted the comments would be considered during the Public Hearing.

### **OLD BUSINESS**

### **PUBLIC HEARING – TO CONSIDER AN ORDINANCE ON REGULATING MEDICAL MARIJUANA DISPENSARIES IN THE TOWN OF BUENA VISTA.**

Mayor Russell noted no ordinance was presented but this has been discussed at other meetings and opened the public comment portion of the hearing at 7:15 PM.

Jed Selby, 901 S. Main, asked since the Pharmacy sells drugs and it is not regulated but some drugs are just as bad theoretically, is this something that will only be regulated until people get used to it or is it just bad?

Attorney Phillips noted the land use aspect and the regulatory aspect; MMDs are businesses and should be allowed only in business zones; regulatory has a lot of discussion that continues in Legislature, HB1284 was introduced to analogize MMDs to liquor licenses; public policy issues have to be addressed by municipalities and are currently being addressed by the Legislature; current law establishes a defense to a criminal charge to possession or distribution of marijuana...the law says "if you are a patient or primary care giver you are provided with an affirmative defense to a charge of the possession or distribution of marijuana"; you cannot be a primary caregiver to someone you don't know; the industry is operating in a gray area right now but presumably the Legislature will bring clarity to the situation otherwise it will be left up to local Governments to clarify.

Daniel Hamme, 29383 CR 358, submitted a letter included in the packet and reiterated the response he has received; suggested likening dispensaries to a liquor store; noted you have to have the paperwork from the State of Colorado and identification to be in a dispensary; marijuana is a natural product to be used for medicine; if treated like a liquor store or bar where you need to be 1000 feet from a school Council needs to be mindful of the distance; looking at zoning in Buena Vista and what is around schools there are not many locations to choose from. Daniel has had individuals who have requested that he "try to move this ahead" and asked that Council consider what legislature does and move this item ahead.

With no other comments received, Mayor Russell closed the comment portion of the hearing at 7:26 PM.

Discussion held on continuing the Hearing to the next meeting and scheduling a work session prior to the April 13 meeting; pharmacies dispense drugs that are allowed at the Federal level and marijuana is not at that level; HB1284 was assigned to Committee with a hearing held, but the bill has not made it to the floor yet; a bill will come out of Legislature before the end of May; Rocky Mtn. Public Radio interviewed Massey regarding on-site consumption; what happens if municipalities do something before Legislature makes a decision that changes things after that - local Governments will still have some regulatory authority; some have extended their moratorium until May after Legislature/General Assembly come out with something.

**Motion #4** by Trustee Baker, seconded by Trustee Benson, to continue the Public Hearing to the April 13 meeting. Motion carried.

**PUBLIC HEARING – Should the Board approve adoption of Ordinance #3, Series 2010, entitled “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, REPEALING AND REENACTING ARTICLE VI OF CHAPTER 11 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SPECIAL EVENTS”?**

Town Planner Haydin noted this is a revised version prepared by Attorney Parker; it was moved from Chapter 16 to Chapter 11 that deals with streets, sidewalks and public land in Town; changes include events that consist of 200 or more, it eliminates the deposit for damages but we can bill for damages and felt this captured Council's recommendations.

Discussion held on enforcement for someone that does not get a Special Event Permit for an event they are trying to hold – could shut them down and would fall under general violations of the Municipal Code; where does Special Event and non special events end and begin (11-122) and take section 11-122 through 11-126 out and add it as a separate section of the code; renumbering sections and continue the hearing to the next meeting; staff is advising the special events that this section of the code is “coming” and when approved they will need to get a Special Events Permit and are not holding up other permits like park use permits; staff is trying to reduce paperwork - the fee is \$50 with appendix A for Street Closure and Appendix B for park use.

Mayor Russell opened the public comment portion of the hearing at 7:40 PM with none received and closed the comment portion of the hearing.

Discussion continued on applicants can get a copy of the Code along with their application; the application will be on-line for easy access; a draft permit is available and has been given to Earl Richmond for feed-back to see how well it works; not charging for barricades or Police Department assistance vs. charging fees and having a handout of a fee schedule attached to the permit application.

**Motion #5** by Trustee Benson, seconded by Trustee Mitchell, to continue the Public Hearing to April 13. Motion carried.

**NEW BUSINESS**  
**PUBLIC HEARING – TO CONSIDER A REQUEST FOR A WAIVER TO THE SUBDIVISION REQUIREMENTS TO RE-SUBDIVIDE AN EXISTING PARCEL INTO SIX LOTS, HARDER-DIESSLIN DEVELOPMENT GROUP, LLC**

Town Planner Haydin outlined the request for a waiver to the subdivision requirements to replat a portion of Tract A of Mtn. View Subdivision Filing 2 into six lots; staff worked with the applicant to come to an agreement on what they will give to the Town in response to the request; the property is at the end of Antero Circle; Lot 1 is proposed for Chaffee County EMS and Chaffee County Fire building; Lot 1 has a continuous asphalt surface with two proposals for review tonight: sidewalks are installed around the cul-

de-sac but the applicant was asked to separate pedestrian areas; the subdivision was platted as a tract and then came under condominium ownership - this proposal is to split it up with no more condominiums; the road was constructed without a development agreement; the property consists of warehouse and offices; land uses are proposed to remain the same with the exception of Chaffee Fire; surrounding zoning are R3 to the north for additional multi-family, B2 to the west, R to the east and south in the County; surrounding zoning is comprised of R3, RR County and B2 to the West with a reservoir to the south; access is via Antero Circle. There are two options for Council's consideration: require sidewalks or require the applicant to pay cash and have them installed somewhere else. Shannon addressed drainage and utilities-storm water retention basin on Lot 5 and the Town is asking for easements for drainage (there is public water, sewer and electric with no easements); trees and landscaping- 2 trees are required per lot or cash in lieu but there are 14 trees already planted throughout the property and public Works feels this requirement has been met; parking will be onsite and is adequate; waiver request would be appropriate per staff; P&Z discussed sidewalks and recommended cash in lieu equal to an amount of the cost of site preparation, materials, labor and installation of sidewalks elsewhere in Town and the applicant requested an agreement. A Development Agreement and Subdivision Improvements Agreement are provided to address both options.

Mayor Russell opened the public comment portion of the hearing at 8:02 PM with none received and closed the comment portion of the hearing.

Evelyn Baker, Chair of P&Z, noted they had a discussion with Public Works on who would use the sidewalks, Buena Vista has a history of letting curb, gutter and sidewalks go and then we never get them; the applicant proposed placing them somewhere else in Town that would equal the cost of installation in their subdivision and there are so many places where curb, gutter and sidewalks are needed but none are shovel ready; could use cash-in-lieu and when bond issue goes through there is cash to put toward those improvements.

Discussion continued on the agreement was a 3' buffer landscaped with larger cobble to allow for snow storage (detached sidewalk with 3' landscape area and was agreed to by applicants); there are no trails that need to be connected; pedestrian traffic in industrial areas is minimal; staff won't know about sidewalks on E. Main Street until we get the bids; 420 lineal feet was projected for the subject area; Walt Harder was present and had no objection to the cash-in-lieu fee to be used at another location suggested bidding out the job at roughly \$8000 that may involve some demo work and the applicant will not "quibble over a few bucks"; the bid is not in yet for work needed at the railroad crossing; put a time limit on the offer or tie to commodity prices; modify 5 (b) of the Development Agreement to "a fee or in-kind services upon agreement of the parties in the amount equal to cost of the installation of sidewalks....."; the proposed fire station that will replace the one on W. Main that was approved by the Town; the water demand and tap size for the Fire Department lot and making sure we take care of the water accounting; they will be expanding and staff will review when it is submitted; maintaining the drainage and the easement language will include that if the Town maintains it we will bill them; the motion to approve will be for the Resolution on page 97, 98 and 99 with a second motion to adopt the Development Agreement.

**Motion #6** by Trustee Baker, seconded by Trustee Mitchell, to approve Resolution #36, Series 2010. Motion carried.

**Motion #7** by Trustee Flint, seconded by Trustee Mitchell, to approve the Development Agreement for the Mtn. View Filing #3 with modifications to Section 5 (b). Motion carried.

A recess was taken from 8:23 PM to 8:30 PM.

**PUBLIC HEARING - Should the Board approve adoption of Ordinance #7, Series 2010, entitled "AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 16-242 OF THE BUENA VISTA MUNICIPAL CODE TO ALLOW FREESTANDING SIGNS IN THE B-1 ZONE DISTRICT, TO ALLOW PROJECTING SIGNS IN THE B-2 ZONE DISTRICT AND TO PROHIBIT INTERNALLY LIT VINYL SIGNS IN THE B-1 ZONE DISTRICT ON EAST MAIN STREET"?**

Shannon Haydin outlined the ordinance was written to address gaps in the code like the Premier sign appeal where the B1 Zone does not allow free standing signs; P&Z felt free standing was appropriate in B1 and had discussions on what is appropriate for size and noted the Pinon Real Estate projecting sign is not allowed in B2 at all and this ordinance will allow projecting signs on Hwy. 24. We continue to get requests for internally lit vinyl signs and downtown is not appropriate but Hwy. 24 would be appropriate and this will ban internally lit vinyl signs specifically on E. Main Street.

Discussion held on the Green Parrot, New Release and Punky's all have internally lit vinyl signs; E. Main is more historic and it "doesn't feel right" to have them on E. Main.

Mayor Russell opened the public comment portion of the hearing at 8:36 PM.

Evelyn Baker, 520 Arizona Street, noted a recent application for a back lit vinyl sign on E Main Street (Colorado Kitchens) that came before P&Z - his reason involved cost; a compromise was reached that he put up a wood sign in the same space, use the same frame so the overall cost was not much more.

With no other comments received Mayor Russell closed the comment portion of the hearing at 8:38 PM.

**Motion #8** by Trustee Flint, seconded by Trustee Mitchell, to adopt Ordinance #7, Series 2010. Motion carried. Trustee Benson noted banners going up and wasn't sure the new sign code allowed them. Shannon stated they are allowed 3 times per year for two weeks as a temporary sign; we send them a letter when they go up with a temporary sign application to document how long it has been up; some of them were permitted under the old code and we told them they can continue until they are destroyed or no longer in good repair and it could be a few years before they go away.

**PUBLIC HEARING – Should the Board approve adoption of Ordinance #8, Series 2010, entitled “AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 18 ARTICLE VI FIRE CODE TO ADOPT THE PROVISIONS OF THE 2006 INTERNATIONAL FIRE CODE”?**

Town Planner Haydin spoke with Roy Gertson who noted some small towns are having a hard time meeting fire flow requirements; staff will do a more detailed analysis and noted Council can adopt the code outright or with amendments to delete or modify the section and wants more time to review the ordinance before adoption.

Mayor Russell opened the public comment portion of the hearing at 8:41PM with none received and closed the comment portion of the hearing.

Discussion held on the ordinance going back to P&Z and then back before the Trustees.

**Motion #9** by Trustee Benson, seconded by Trustee Nyberg, to continue the Public Hearing to the next meeting. Motion carried.

**PRESENTATION OF AIRPORT COMMISSION RECOMMENDATIONS**

Sue Boyd presented a memo explaining the Commission's request for more time but wanted to provide a preliminary look at primary recommendations so if there are any "show stopper issues" they can be worked on; an update was presented tonight since the Commission met this morning and recommended changes from the original ones: #2 reducing staff and hours of operation – do not want to be totally specific but look at more options to accomplish that goal; #3 add language "for terminal area and hangar placement"; #4 modify the charge to the "Airport Board"; #5 deals with marketing and being clearer on the airport being marketed in a complimentary effort in marketing the community as a whole. The Commission feels they have not yet finished their job and are asking for more time before providing a full presentation with recommendations.

Discussion held on allowing an extra three weeks and whether there are any strong concerns on the recommendations before the Commission continues.

**Motion #10** by Trustee Benson, seconded by Trustee Mitchell, to allow the Commission more time to submit its final report. Motion carried.

Trustee Baker noted Item #1 goes from having 1 PT employee to verify fuel station alignment every morning, safety check and one in the afternoon to having 1 FT and 1 PT with a determination by the end of June for a final determination of staff levels for the balance of the summer. Discussion held on cutting back personnel and loss of revenue if we do not have someone there – people that have been at the airport for a long time don't feel there will be a loss of revenue; staff reduction revolves around what we can support continuously in the transition mode; what can be paid for by on-call capability; getting paid for being "on call"; the Airport Board gets the comments/minutes from the Airport Commission; minimizing loss to the Town; fuel sales are down 25% over January of 2009; keep staffing through June and see if a testing program this summer pays for itself and then reevaluate staffing levels; what business model makes sense for 2010; item #2 of the memo should say hangar "placement". Discussion continued on "stopping the bleeding" and the Commission discussed what operations need to be in 2010 and 2011, maintain core operations and the reputation of the airport appropriately and believes it is feasible to cut back to be more in line with what the community can support.

Should the Board approve adoption of Resolution #34, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING THE APPLICATION FOR A STATE HISTORIC GRANT FOR A DOWNTOWN OVERLAY DISTRICT**"?

Town Planner Haydin advised that the State Historic Fund has funding for economic development for small communities; Buena Vista does not have protection for the downtown historic district in our Code and proposed a request for funding to develop a downtown development plan and overlay zoning district with general guidelines that buildings be "similar in character" to protect the character of downtown; staff can write a good plan with a code that works and suggested large scale input to put together a code properly. The Grant is for up to \$35,000 with a 25% match (\$22,850 dollars with \$10,750 staff time in-kind with \$5712 town match funds). The grant is for the 2010 budget which will come from reserves.

Discussion followed on TABOR restrictions for future years; "will look favorably upon" language has been used for other grants; does another municipality have the code already written so it does not have to be redone or re-invented; writing architectural guidelines; soliciting input from the public; people have done good faith efforts in the downtown area but when the economy turns around things could change without the mechanism being in place; incentivizing occupancy and filling vacant buildings; continuing the resolution to a date certain or taking no action until 2010; ways to incentivize occupancy. Sue Boyd will work with Shannon and the Town Attorney to control the cost of getting more information together.

Should the Board approve adoption of Resolution #35, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AWARDED THE ROCKS AND ROPES PROJECT BID**"?

Town Treasurer DeChristopher noted the Town got the \$45,000 mini grant from GOCO, issued an RFP and asked "for \$50,000 what can you give us" and had four proposals within the \$50,000 range; a Committee of Christine, Roy Gertson, Optimist Club and Chris McGinnis represented families of small children and reviewed the bids; they liked three and asked for a cost on specific items and felt Made in the Schade offered the most bang for the buck with larger rocks, had more diversity in the rocks and got more rocks for the money; we will get four different rocks with different high and low ropes; IDS can stain the rocks to look like the others we already have and this can be decided at a later time.

Discussion followed on awarding the bid to Universal Precast Rocks & Ropes vs. Made in the Schade – Universal Precast is a distributor for Made in the Schade.

**Motion #11** by Trustee Baker, seconded by Trustee Mitchell, to approve adoption of Resolution #35, Series 2010, awarding the bid to Universal Precast Rocks & Ropes. Roll call vote: Baker-aye, Lacy-aye, Mitchell-aye, Nyberg-aye, Flint-aye, Benson-aye. Motion carried.

## **STAFF REPORTS**

### **TOWN ADMINISTRATOR**

Administrator Boyd had the following items to cover:

- We talked about a presentation from Sangre De Cristo, Paul Erickson felt this was not the right moment to do it and discussed a work session to look at more than one option
- The survey for the E. Main furniture is in the packet; if you are comfortable on proceeding based on this input, we can proceed with a contract at the next meeting and get furniture for this season. Discussion followed on survey results; waiting for seasonal residents to be allowed to respond; put furniture out on a few bump outs; the custom built pieces take time to build; don't make 25 of each piece but install a historical flavor on each one. Sue will talk with Jim Butler and get more definitive design issues before a contract comes forward.
- ACA met the deadline for construction of the pipeline across the Arkansas; we are still talking about easement agreements with the Gunsmoke and Paul Moltz.
- Tim Jaster met with Sam Bricker with RSN about partnering on getting a program on the BVTV Channel.
- We have had conversations with Brownsfields on researching the Texaco property.
- After the presentation by the Rec. Board on the Parks Master Plan, there is increased community awareness and additional requests to present ideas to that group (pump track, ice rink and ball park).

### **AIRPORT MANAGEMENT**

Administrator Boyd had the following items to cover:

- AVSPEC group came and installed system upgrades, propose to come back in May to put in cameras; what they installed last week uploads weather data to FAA and expect that to happen this week; they are coming back in May to look at the cameras more carefully and we'll need a license agreement for cameras on the terminal; they offered a few cameras on a trial basis to address the need for security cameras.
- Concerns on the airport layout plan have also been noticed by the Airport Board - April 30 is the deadline.
- We need to do a better job on our procedures, policies and training for supervisors and will come back with a proposal; we may become a member of Mtn. States Employers Council, it is a little pricy but may be worth our effort and is not a budgeted item.
- The web cameras are expected to be an important marketing tool for the airport
- Mayor Russell asked how we stand with snow removal. Sue noted staff is doing snow removal with back up from Public Works; ACA has been out there when it was too heavy to remove from the runway; the pavement between the two row hangars is not part of Ron Southard's ground lease and is the responsibility of the airport and they will keep plowing. Trustee Baker asked about staff mishandling of snow blower on page 14. Sue stated that a lot was being removed and equipment was in the area, a tenant was trying to get through to the their hangar with a vehicle and something created an incident which is unclear at this time and suggested procedures need to be written and shared with tenants.
- Trustee Lacy asked about several contracts with Ron Southard and the latest one said we were responsible for snow. Sue advised all ground leases say something different; Ryan Mahoney may have made some management decision but the norm is 5' and all the agreements need to be reviewed.
- Mayor Russell asked about the airport construction. Christine advised of a meeting Thursday, all the dry wall is expected to be finished today; an issue that was perplexing and not addressed is all the wires (communication wires) that are running every which way; a good plan is being worked on for all the phones and making sure what is live and what is not and providing internet access for all the offices.

### **TOWN TREASURER**

- Christine noted changes in the municipal bond market and some information that was presented in the packet; lodging tax hurts the hotels when booking through their own website and we do not get the sales tax and noted some legislation that is pending.
- Mayor Russell asked about a supplemental appropriation. Christine noted one will be done when needed, nothing is currently pending. Cara requested a budget to actual report when available.

#### **DEVELOPMENT STATUS REPORT**

- Shannon noted this is the second piece on the Comp. Plan Implementation Analysis that Trustee Benson asked about; it was broken down into real terms and what the intent is; one thing that came out is that our policies in the Comp. Plan are complicated; we could revisit some policies in 2011. Shannon tried to determine the value of the policy-economic, environmental, social and aesthetic and look at each policy and determine what type of value it brings to the Town; the Town can prioritize the ones that have certain values or have core values; the way the policies are written makes it hard to implement it. Trustee Benson expressed that part of it is understanding what the intent is, he focused on the negative/reactionary intent, most of the policies have to do with economic development, growth and main street but the idea is to ask why and then put in mechanisms to address the policies and suggested we need to focus on economic development rather than have action items on each one. Discussion followed on there was good public comment and input for the plan but the document is lacking.

#### **TRUSTEE/STAFF INTERACTION**

- Mayor Russell reported back to Council on staff reviews for Christine, Sue and Diane; one key element that came out was a sense from staff that Council is not always aware of what staff does on a daily basis and when Council asks for special projects we do not realize what that item may be on top of; it was suggested that when we do a new Council orientation we discuss what each staff member does. Trustee Baker expressed that the Comp Plan Implementation Analysis report is one thing; Christine and Rachel get many things done with phones ringing and e-mails coming in and knows how tough it is.
- Shannon Haydin referenced a request from Alltel to place a tower on Town property and asked if Council wanted this on an agenda and noted a representative was present for questions. Discussion followed on a discussion was held with a previous Council on a contract being approved in concept. After a brief discussion it was agreed to have this item added to the next agenda. Mayor Russell asked if Alltel puts in a tower, will it improve service to the valley or just Alltel customers. The Alltel representative noted they have an existing tower 5 miles west of Town, this site will be a repeater site that receives and strengthens the signal and rebroadcasts it out; gave some specifics on the technical aspects of the proposal; they broadcast 5-10 miles out and they are trying to improve the signal for Alltel customers but cell carriers have roaming agreements with each other.
- Trustee Lacy asked if Roy & Rachel need to look at the sidewalks in Town to move forward. Sue will follow-up.
- Trustee Benson asked for clarity on the use of a public space for half a day and if it is defined anywhere. Staff will review the item. Joel asked about the process for a replacement ballot. Town Clerk Spomer noted they need to bring in their ballot, fill out a form and they will receive a replacement ballot.
- Mayor Russell referenced requests for letters of support in the packet and solicited input from Council.
- Trustee Baker noted a new travel site, gadling.com, the world's largest travel blog, where Buena Vista is ranked at the top of the list.
- Mayor Russell wrote letters to Gail Schwartz and Tom Massey expressing concerns of shutting down the boot camp and understanding budget concerns, recognized the importance of the program and how it will unduly affect the community with the loss of jobs and to put us on the list for economic development opportunities.
- Trustee Benson brought some information on Fair Trade on ways to support fair trade and noted we are "official".
- Lee Phillips noted the Executive Session may not need to occur based upon a hearing held today, the Town presented its position on the injunction; there is nothing to report except that the hearing did occur and the Judge will make a ruling as early as the end of this week. Town Clerk



Spomer added that the Judge will be on vacation next week, was aware of the election timeline and we are hopeful for a ruling this week.

**ADJOURNMENT**

**Motion #12** by Trustee Flint, seconded by Trustee Mitchell, noting that there being no further business to come before the Board declared that the meeting be adjourned at 10:23 PM. Motion carried.

Respectfully submitted:

  
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Mayor, Cara Russell

  
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Town Clerk, Diane Spomer